IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Patent Application of:

Inventor(s):

Giovanni SENI

Filed:

June 26, 2003

Scrial No.:

10/606,423

Confirmation No.:

6310

Group Art Unit:

2629

Examiner:

William L. BODDIE

Docket Number:

CML00362H

Title: METHOD AND SYSTEM FOR EMSSAGE AND NOTE COMPOSITITION ON SMALL

SCREEN DEVICES

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

DECLARATION OF GIOVANNI SENI UNDER 37 CFR \$1.131

I, Giovanni Seni, being duly sworn, state as follows:

FACTS

- I am a first and original inventor of the subject matter of the pending U.S. patent application, U.S. Patent Application No. 10/606,423 filed on June 26, 2003. I conceived of this invention at least as early as prior to February 27, 2003, the effective date of reference US 6,661,409 to Demartines et al., of which I am a co-inventor.
- 2. I wrote and submitted the three-page invention disclosure attached hereto and conceived of the invention described therein at least as early as prior to February 27, 2003. This invention disclosure was prepared and filed as instant application, U.S. Patent Application No. 10/606,423 filed on June 26, 2003.
- 3. Based upon my review of the above-referenced patent application, I have the following observations:
- The three-page invention disclosure attached hereto shows conception of the invention at least prior to February 27, 2003. Page two of the invention disclosure discloses a touch input screen, a display element, and a scrolling mechanism, referenced as "input area", "visible window area", and "By virtue of each ink trace trailing off and being removed from the input area" in the invention disclosure document. The invention disclosure attached hereto discloses at least a submitted date of April 17, 2002 and a review date of June 20, 2002; both of these dates provide evidence of conception of the invention prior to February 27, 2003.
- 5. Also submitted and attached hereto are crital records that show that conception at least prior to February 27, 2003 coupled with due diligence from prior to February 27, 2003 until the instant application was filed on June 26, 2006. These email records comprise from oldest to newest date order:
 - Email from Michelle Larson, registered U.S. Patent Attorney, to me discussing our conversation regarding the disclosure, January 14, 2003

- Finail from myself to Michelle Larson regarding another patent application and a paper, January 14, 2003.
- Email from Michelle Larson to me asking for additional technical information and diagrams. January 27, 2003
- Email from myself to Michelle Larson regarding files sent to ber and plan to get other requested materials to her, January 31, 2003
- Email from Michelle Larson to me acknowledging receipt of earlier email, February 3, 2003.
- Email from myself to Michelle Larson regarding information I sent to her for the patent application, February 13, 2003
- Email from Michelle Larson to me asking for document to be resent, February 13, 2003
- · Email from me to Michelle Larson verifying information had been resent.
- Email from Carlos Mcevilly to me regarding the invention, February 17, 2003.
- Email from me to Michelle Larson, forwarding on February 17, 2003 email from Carlos Meevilly, February 18, 2003
- Email from me to Michelle Larson thanking me for information sent to her, February 21, 2003
- Email from Michelle Larson to me giving me an update on the status of the patent application, April 30, 2003.
- Email from me to Michelle Larson regarding status update for filing application, April 30, 2003
- Email from Michelle Larson to me with draft of patent application, June 6, 2003
- Email from me to Michelle Larson regarding first draft, June 10, 2003
- Email from me to Michelle Larson with comments on first draft, June 12, 2003.
- Email from me to Michelle Larson with comments on draft, June 24, 2003
- Email from Michelle Larson to me with final draft, June 26, 2003
- Email from Michelle Larson to me regarding application, June 26, 2003
- Fax from me to Michelle Larson regarding signed paperwork for filing, June 26, 2003

The information and opinions provided herein are sworn to be true and to be originated by me. I further declare that all statements made of my own knowledge are true and all statements made on information and believe are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the present application or any patent issued thereon.

July 5/08

Giovanni SENT

From:

"Seni Giovanni-FGS022" < G. Seni@motorola.com>

To:

Cc:

"Michelle Larson" <arsonpc@erols.com>
"Seni Giovanni-FGS022" <G.Seni@motorola.com>

Sent:

Tuesday, January 14, 2003 12:49 PM

Attach:

CML00005H-Seni.doc; cml00005h-sh1.tif; cml00005h-sh2.tif; cml00005h-sh3.tif; IWFHR8.pdf

Subject:

RE: CML00362H (my 02-MOT-05)

Hi Michele,

the internal number of the related filing was CML00005H, entitled "AUTOMATICALLY SCROLLING HANDWRITTEN INPUT USER INTERFACE FOR PERSONAL DIGITAL ASSISTANTS AND THE LIKE", and filed on 8/22/01. The copy I have of it, with figures, is attached. Also attached is a copy of the paper I presented at IWFHR-8 last summer. Best regards and thank you for your assistance.

-giovanni

----Original Message----

From: Michelle Larson [mailto:larsonpc@erols.com]

Sent: Tuesday, January 14, 2003 9:27 AM

To: Giovanni Seni

Cc: Michelle Larson; Nichols Dan-ECOR01 **Subject:** CML00362H (my 02-MOT-05)

Dear Giovanni:

It was nice talking with you about this application. My contact information is below. Please send the additional information that we discussed at your earliest convenience.

Regards,

Michelle Larson, Esq. Larson & Associates, P.C. 221 East Church Street Frederick, Maryland 21701 Tel: (301) 668-3073 Fax: (301) 668-3074 michelle@larsonpc.com

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From: "Michelle Larson" < larsonpc@erols.com>

To: "Seni Giovanni-FGS022" <G.Seni@motorola.com>

Cc: "Michelle Larson" <michelle@larsonpc.com>; "Nichols Dan-ECOR01"

<Dan.Nichols@motorola.com>; "Donlin Leo-ALD080" <leo.donlin@motorola.com>

Sent: Monday, January 27, 2003 5:15 PM

Subject: CML00362H (my 02-MOT-05)

Dear Giovanni:

It was a pleasure speaking with you this afternoon about your patent application.

Here are the questions we discussed; please send the answers at your earliest convenience:

1) Source code & any flowcharts

2) Any configurable items

- 3) Description of the optional toolbar shown on figure 4
- 4) The electronic form of the disclosure
- 5) The 10Mb Video
- 6) Ink trace definition and description as to deletion

Leo, we need your assistance on getting a 10MByte file from inventor Giovanni Seni. Giovanni tried sending it to me this afternoon but it was bounced back, due to its size, by the Motorola system. Can you please let Giovanni know the best way to get it to me? His number is: 650-318-3203.

Thank you,

Michelle Larson, Esq. Larson & Associates, P.C. 221 East Church Street Frederick, Maryland 21701 Tel: (301) 668-3073 Fax: (301) 668-3074 michelle@larsonpc.com

*****	NOTICE	*

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From: "Michelle Larson" <larsonpc@erols.com>
To: "Giovanni Seni" <G.Seni@motorola.com>

Sent: Monday, February 03, 2003 10:12 AM Subject: Re: CML00362H (my 02-MOT-05)

Hi, Giovanni. I received the Hypersend delivery fine. Please forward on the other info.

Regards,
Michelle Larson, Esq.
Larson & Associates, P.C.
221 East Church Street
Frederick, Maryland 21701
Tel: (301) 668-3073
Fax: (301) 668-3074
michelle@larsonpc.com

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---- Original Message ----

From: "Giovanni Seni" <<u>G.Seni@motorola.com</u>>
To: "Michelle Larson" <<u>larsonpc@erols.com</u>>
Sent: Friday, January 31, 2003 1:03 PM
Subject: Re: CML00362H (my 02-MOT-05)

- > Hi Michelle,
- > As a test, I sent you one of the files via HyperSend. Let me know if you
- > receive it and then I'll go ahead and send the additional material.
- > Thanks, -gs
- > Michelle Larson wrote:
- >> Dear Giovanni:
- >>
- >> It was a pleasure speaking with you this afternoon about your patent
- >> application.

```
>> Here are the questions we discussed; please send the answers at
>> your earliest convenience:
>> 1) Source code & any flowcharts
>> 2) Any configurable items
>> 3) Description of the optional toolbar shown on figure 4
>> 4) The electronic form of the disclosure
>> 5) The 10Mb Video
>> 6) Ink trace definition and description as to deletion
>> Leo, we need your assistance on getting a 10MByte file from inventor
>> Giovanni Seni. Giovanni tried sending it to me this afternoon but it
>> was bounced back, due to its size, by the Motorola system. Can you
>> please let Giovanni know the best way to get it to me? His number is:
>> 650-318-3203.
>>
>> Thank you,
>>
>> Michelle Larson, Esq.
>> Larson & Associates, P.C.
>> 221 East Church Street
>> Frederick, Maryland 21701
>> Tel: (301) 668-3073
>> Fax: (301) 668-3074
>> michelle@larsonpc.com <mailto:michelle@larsonpc.com>
>>
>>
NOTICE
>> *****************
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>> confidential and may be attorney-client privileged. Unauthorized use,
>> disclosure, or copying is strictly prohibited. If you received this
>> in error, please notify Larson & Associates, P.C. immediately by return
>> e-mail or by calling the above telephone number (collect calls regarding
>> e-mail received in error will be accepted) and destroy all copies of
this
>> message and any attachments.
>>
>>
>
```

From:

"Seni Giovanni-FGS022" < G. Seni@motorola.com>

To:

"Michelle Larson" <areanope@erols.com>

Sent:

Friday, February 14, 2003 9:26 PM

Subject:

RE: Delivery Status - delivery #100481688 'Re: CML00362H'

Done. I think it had gone out to one of your email aliases. -gs

----Original Message----

From: Michelle Larson [mailto:larsonpc@erols.com]

Sent: Thursday, February 13, 2003 7:03 PM

To: Seni Giovanni-FGS022

Subject: Re: Delivery Status - delivery #100481688 'Re: CML00362H'

Hi, Giovanni. Please resend; this document does not appear in my Hypersend inbox - I've checked twice.

Thank you, Michelle

Michelle Larson, Esq. Larson & Associates, P.C. 221 East Church Street Frederick, Maryland 21701 Tel: (301) 668-3073 Fax: (301) 668-3074

michelle@larsonpc.com

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---- Original Message -----

From: "Seni Giovanni-FGS022" < G. Seni@motorola.com>

To: <michelle@larsonpc.com>

Sent: Thursday, February 13, 2003 7:28 PM

Subject: FW: Delivery Status - delivery #100481688 'Re: CML00362H'

```
> Hi Michelle,
> the MPEG video is peding for pickup in HyperSend. Regards, -giovanni
> -----Original Message-----
> From: hshelp@hypersend.com [mailto:hshelp@hypersend.com]
> Sent: Thursday, February 13, 2003 4:25 PM
> To: Giovanni Seni
> Subject: Delivery Status - delivery #100481688 'Re: CML00362H'
> On Friday February 7, 2003 you sent an important delivery through
HyperSend entitled 'Re: CML00362H'.
> The recipient, <u>larsonpc@erols.com</u>, has not yet responded to this delivery
and we are sending them a friendly reminder. We encourage you to contact
them and ask that they pick it up BEFORE IT EXPIRES on Friday February 28,
2003.
> Upon expiration, this delivery will no longer be available for pickup, and
the files associated with this delivery will be permanently deleted.
> For up-to-date information on the progress of this or any other delivery,
visit your HyperSend Tracking Details page.
> Please contact us at <a href="mailto:hshelp@hypersend.com">hshelp@hypersend.com</a> if we can be of any further
assistance.
>
> To log in to your HyperSend account, use the link below:
> https://www.hypersend.com/Intro/Login?user_email=g.seni@motorola.com&cid=1
> If the address above is not displaying as a link, copy and paste it into
your web browser. If the address does not fit on one line, make your
message window wider before copying the address.
> Powered by HyperSend
```

From:

"Michelle Larson" < larsonpc@erols.com>

To:

"Giovanni Seni" < G. Seni@motorola.com>

Cc:

"Karl Larson" <karl@solutiontraining.com>; "Michelle Larson" <michelle@larsonpc.com>

Sent:

Friday, February 21, 2003 10:53 PM

Subject:

Re: Conveyor(TM)]

Thank you for all of the info., Giovanni. We're processing it!

Regards,

Michelle Larson, Esq. Larson & Associates, P.C. 221 East Church Street Frederick, Maryland 21701 Tel: (301) 668-3073

Fax: (301) 668-3074 michelle@larsonpc.com

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---- Original Message -----

From: "Giovanni Seni" < G.Seni@motorola.com>

To: "Thomson Mark-A12086" < Mark. Thomson@motorola.com>

Cc: "Hil Pa-HILPA" < HILPA@motorola.com >; < michelle@larsonpc.com >

Sent: Tuesday, February 18, 2003 1:21 PM

Subject: [Fwd: Conveyor(TM)]

- > Mark,
- > For your consideration, below are Carlos thoughts, which he kindly
- > shared with me, on why he believes we should rename the Treadmill UI as
- > Conveyor UI. He further encourages us to pursue a trademark on it. Let
- > me know if you think we should pursue it.
- > -giovanni
- > ----- Original Message -----
- > Subject: Conveyor(TM)
- > Date: Mon, 17 Feb 2003 12:50:03 -0700

```
> From: Mcevilly Carlos-FCM022 < Carlos, Mcevilly@motorola.com>
> To: Seni Giovanni-FGS022 < G. Seni@motorola.com >, Mcevilly Carlos-FCM022
> < Carlos Mcevilly@motorola.com>
> Giovanni,
> Remember some time ago I had mentioned to you that "Conveyor"
> would be a good name for a handwriting recognition product? I
> think it fits especially for anything that has your treadmill ink
> interface. This has been nagging me for a while so I wanted to
> write up my opinions and send them to you for the record.
> The argument has several parts:
> * The word sounds good; easy to say, unambiguous
> * It means "something that gets a meaning across"
> * It covers the treadmill user experience
> * Conveyor has positive associations:
> -efficiency (production lines, getting a lot done)
> -ease (no effort; it carries you along
> -communication, transport, motion, dynamism
> * Conveyor lacks the negative associations of treadmill:
> -frustration of difficult effort with no real forward progress
> -boredom (treadmill often used as a negative metaphor for boring job)
> * Likelihood of use by others
> This last point becomes important as others start to catch up to
> where you are. Sooner or later, we will lose the opportunity to use
> this name if it is taken by someone else. I think it will be taken as
> soon as there is a competitor who has a treadmill, or, by another
> name, a conveyor, UI. Because it is a good name that communicates
> the benefit of the UI, they (whoever uses the name) will get credit for
> the idea instead of you.
>
> So. I was looking at the Mot legal web site and found this
> page for requesting a preliminary trademark search, which is the
> first step to take in the Motorola process before applying for
> a trademark:
http://markit.mot.com/markit/markit.nsf/mainframepage?OpenPage&SMLOCALE=US-E
<a href="http://markit.mot.com/markit/markit.nsf/mainframepage?OpenPage&SMLOCALE=US-">http://markit.mot.com/markit/markit.nsf/mainframepage?OpenPage&SMLOCALE=US-</a>
EN>
> The page requires registration and login.
> The trademark search does have a cost. It is $100 for a preliminary
```

> search (US, Canada, Europe, Japan) and much more for more
> detailed searches over many countries (\$500 - \$1,000 per country).
> If we assume an English language name would be of interest in only
> a few countries, search costs could be limited. Then actual registration
> costs are \$1,000 - \$3,000 per country... a lot of money, but could be
> worth it if we expect to take this somewhere.
>
> On the other hand we are a research group, not typically taking
> things to productization. And our future focus is still coalescing.
> But if we continue to sell handwriting, we should use the name
> "Conveyor" for your UI. And we should pursue a trademark for
> the name.
> Carlos
>

From:

"Seni Giovanni-FGS022" <G.Seni@motorola.com>

To:

<michelie@larsonpc.com>

Sent: Subject: Wednesday, April 30, 2003 4:36 PM RE: CML00362H (my 02-MOT-05)

I'm not familiar with the WIP acronym. As I stated in my email, the invention was demo to an outside company two weeks ago under NDA. I believe we have expressed earlier the need to move forward with this application expeditiously. Please advice on a timeline for filing. Thanks,

-gs

----Original Message----

From: Michelle Larson [mailto:larsonpc@starpower.net]

Sent: Wednesday, April 30, 2003 11:23 AM

To: Giovanni Seni

Cc: michelle@larsonpc.com

Subject: Re: CML00362H (my 02-MOT-05)

Hi, Giovanni. The draft is still in WIP. Please do not disclose anything outside the company before the application is filed. Please send me an e-mail to let me know when you need to disclose these by. I am visiting an inventor in Plantation, FL today and tomorrow but will be checking my e-mail.

Thank you, Michelle Larson

HyperSend



home
why signup?
how secure is it?
how to use
applications
purchase options
support
company

HyperSend &

send pick up track address book options log out

Tracking # 100631357 (06/06/2003 10:46 AM)

From

michelle@larsonpc.com

To Vlewed Picked Up Deleted g.seni@motorola.com Not Yet Not Yet No

Subject CML00362H (03-MOT-05)

Message

Dear Giovanni,

Here is the draft we discussed. Please look it over and let me know how it looks. I will also call you to discuss.

Motorola atty. Jim Lamb has just recently contacted me about some possible prior art and I am going to give him a call.

Also, the application doesn't yet have the additional info you recently sent.

Best regards, Michelle Larson Larson & Associates, P.C. 301-668-3073

File	Security	Size (in bytes)	Compressed Size	Status
\\Server\Larson&Asscociates\My Documents\Larson & Associates, P.C\Patents\MOT\2003\03-MOT-05 \APPLICATION\CML00362H draft.doc	SSL	70,144	23,213	Ready
\\Server\Larson&Asscociates\My Documents\Larson & Associates, P.C\Patents\MOT\2003\03-MOT-05 \FIGURES\figures 362H.doc	SSL	169,984	86,947	Ready
100631357 message.txt	SSL	414	414	Ready

Delivery Size: 108.0KB

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Clerk

From:

"Michelle Larson" <areanomyc@erols.com>

To:

<clerk@larsonpc.com>

Sent:

Tuesday, June 17, 2003 7:53 AM

Attach:

CML00362H draft(with gs comments).doc

Subject:

Fw: CML00362H (my 02-MOT-05)

Josh, please save off this e-mail and draft to the electronic file.

Michelle

---- Original Message -----

From: "Giovanni Seni" < G. Seni@motorola.com> To: "Michelle Larson" < michelle@larsonpc.com>

Cc: "Nichols Dan-ECOR01" < Dan. Nichols@motorola.com>

Sent: Thursday, June 12, 2003 8:12 PM Subject: Re: CML00362H (my 02-MOT-05)

- > Here's a copy of the draft with my comments inserted... I did not read
- > the claims as changes in the text (I found couple of incomplete or
- > incorrect characterizations of the invention) might result in revised
- > claims. Let me know if you would like to discuss further on the phone.
- > Thanks, -gs

- > On 6/10/2003 Giovanni Seni wrote:
- >> Hi Michelle,

>>

- >> got the first draft you sent last Friday. Will review it today. From a
- >> quick glimpse at the figures, I believe they need to be augmented with
- >> the most up to date design reflected in the report I sent couple of
- >> weeks ago. Thanks, -gs

>>

- >> On 1/27/2003 Michelle Larson wrote:
- >>
- >>> Dear Giovanni:
- >>> It was a pleasure speaking with you this afternoon about your patent
- >>> application.
- >>>
- >>> Here are the questions we discussed; please send the answers at your
- >>> earliest convenience: 1) Source code & any flowcharts
- >>> 2) Any configurable items
- >>> 3) Description of the optional toolbar shown on figure 4
- >>> 4) The electronic form of the disclosure
- >>> 5) The 10Mb Video
- >>> 6) Ink trace definition and description as to deletion
- >>>
- >>> Leo, we need your assistance on getting a 10MByte file from inventor

```
>>> Giovanni Seni. Giovanni tried sending it to me this afternoon but it
>>> was bounced back, due to its size, by the Motorola system. Can you
>>> please let Giovanni know the best way to get it to me? His number
>>> is: 650-318-3203.
>>>
>>> Thank you,
>>>
>>> Michelle Larson, Esq.
>>> Larson & Associates, P.C.
>>> 221 East Church Street
>>> Frederick, Maryland 21701
>>> Tel: (301) 668-3073
>>> Fax: (301) 668-3074
>>> michelle@larsonpc.com <mailto:michelle@larsonpc.com>
>>>
>>
```

>







send pick up track address book options log out

Tracking # 100653167 (06/24/2003 09:28 PM)

From

g.seni@motorola.com

Subject

CML00362H (Draft 2)

Message

Here's the latest version with some comments. The proposal for including recognition with this one sounds fine to me. Other notes:

- on page 6 there was a comment of mine from last time that didn't get responded.

- if figues are going to artist, it would be nice if we can switch to our latest toolbar design at the bottom

- we recently realize that there might be some advantages to having the scrolling area "transparent" (so you could see what is under)... should this be mentioned as a dependant clause or are we cover by not saying anything about the background of this window?



Many thanks... the claims look nice.

-gs

Files	Digital Security	Size (in bytes)	Status
CML00362H draft2(with gs comments).doc	SSL	34,240	Completed
100653167 message.txt	SSL	633	Completed
Total Delivery Size:	J	34,873	
Reply Delete Back Printable	Add to Address	Book :	

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HyperSend





purchase options support

mpany

send pick-up track address book options log-out

Tracking # 100655532 (06/26/2003 12:05 PM)

From

michelle@larsonpc.com

To Viewed Picked Up Deleted g.seni@motorola.com Net-Yet Not Yet No

Subject

CML00362H (03-MOT-05)

Message

Dear Gio:

Hypersend sa

Attached is what we believe to be the final draft of your patent application; I have left the most significant changes highlighted for ease of reading.



Please note that we had trouble scanning in the most recent version of the user interface, so reference number 126 was added to FIGs. 1-3 and the items in the new UI were discussed at the bottom of page 8 in connection with reference 126.

Also attached are the paperwork for your signature. We need to file this today if at all possible, since I will be out of the office after today and not returning until after July 1st. Please print the documents, sign, and fax them back to me at 301-668-3074, also please put the originals in FEDEX back to me for our records.

Thank you, Gio. Please do not hesitate to contact me if you have any questions.

Regards, Michelle Larson Larson & Associates, P.C. 221 E. Church Street Frederick, MD 21701 301-668-3073

File	Security	Size (in bytes)	Compressed Size	Status
E:\Patents\MOT\2003\03-MOT-05 \APPLICATION\CML00362H DRAFT#3.doc	SSL	0	0	Pending
E:\Patents\MOT\2003\03-MOT-05\FILING PAPERS\ASSIGNMENT AND AGREEMENT.doc	SSL	31,232	7,529	Ready
E:\Patents\MOT\2003\03-MOT-05 \FIGURES\figures 362H rev 2.doc	SSL	0	0	Pending
100655532 message.txt	SSL	934	934	Ready
E:\Patents\MOT\2003\03-MOT-05\FILING PAPERS\DECLARATION.doc	SSL	58,368	14,610	Ready

Delivery Size: 22.5KB

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 No.
 Patent #
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 6188789
 6188789

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 5838302
 5838302

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 wo03019522
 wo03019522

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Clerk

From:

"Michelle Larson" <are on the larson of the

To:

"Senl Giovanni-FGS022" <G.Senl@motorola.com>

Cc:

<Jamserve@aol.com>; <clerk@larsonpc.com>

Sent: Subject: Thursday, June 26, 2003 2:10 PM 03-MOT-05 Treadmill application

Dear Gio:

I understand that you called with a question about the appliation while I was out at lunch. Did you get in contact with Jim to answer the question? If not, please give me a call to discuss.

Thank you,
Michelle Larson, Esq.
Larson & Associates, P.C.
221 East Church Street
Frederick, Maryland 21701
Tel: (301) 668-3073
Fax: (301) 668-3074
michelle@larsonpc.com

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805 E. Middlefield Road • Mountain View. CA 94043 Tel. (650) 318-3203 • fax (650) 318-3302

Date: 6.26.03

Pages including Cover: 6

ğ

TO: Michelle Larson

Fax: 301-668-3074

FROM: Giovanni Seni

Phone:

Fax:

Sub: CML00362-H

Hi Michelle,

Enclosed please find copies of signed paperwork for filling. You did a good job. Regards,

-giovanni

Congratulations on your wedding!!!

If you have any problems with this transmission, please call sender's phone number as shown above.

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